

1 Kevin M.(Casey) Christensen (Bar No. 168119)
 2 CHRISTENSEN LAW GROUP
 3 500 Ygnacio Valley Road, Suite 290
 Walnut Creek, CA 94596-8711
 Telephone: 925.937.0800
 Facsimile: 925.944.2112

4 Attorneys for Respondent
 5 ST. PAUL FIRE AND MARINE INSURANCE
 COMPANY

6
 7
 8 UNITED STATES BANKRUPTCY COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 OAKLAND DIVISION

12 MATSON NAVIGATION COMPANY,
 INC.,

13 Petitioner,

14 v.

16 ST. PAUL FIRE & MARINE
 INSURANCE COMPANY,

17 Respondent.

Case No. CV 11 3571 lb

**STIPULATION CONTINUING HEARING
 DATE AND BRIEFING SCHEDULE FOR
 PETITION FOR APPOINTMENT OF
 ARBITRATOR [CIVIL LOCAL RULE 6-
 2(a)]**

19 The parties, through undersigned counsel, stipulate as follows:

20 1. The dispute that is the subject of this lawsuit is subject to binding arbitration
 21 pursuant to prior agreement of the parties. On August 19, 2011, the parties stipulated to extend St.
 22 Paul’s time to respond to Matson’s Petition for Appointment of Arbitrator (the “Petition”), to and
 23 including September 16, 2011.

24 2. On September 15, 2011, the parties reached preliminary agreement on an umpire,
 25 Hon. Charles Legge (Ret.). The parties have or shortly will confirm with Judge Legge that he is
 26 willing to serve in that capacity. Assuming he is, his appointment would render the Petition
 27 moot.

28 3. In order to confirm Judge Legge’s appointment, to minimize inconvenience to the

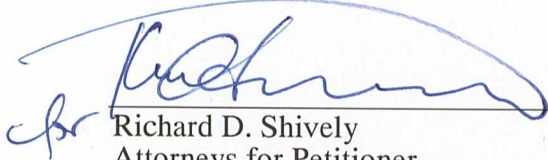
1 Court, and to avoid unnecessary expense by the parties, the parties agree that the hearing on the
2 Petition, and all corresponding briefing not yet filed by the parties, should be continued to the
3 first available date on the Court's calendar after November 15, 2011. If, as is expected, the
4 parties are able to confirm Judge Legge's appointment in the interim, the Petition will be
5 dismissed by stipulation. If not, the parties will brief and present the Petition to the Court for
6 hearing according to the new hearing date.

7 4. By virtue of the foregoing, the parties respectfully submit that good cause exists,
8 and respectfully request the Court, to continue the hearing on the Petition and all corresponding
9 briefing deadlines to a date not earlier than November 15, 2011.

10 IT IS SO STIPULATED.

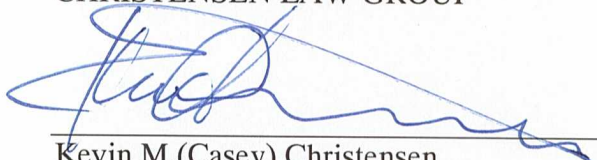
11 Dated: September 15, 2011

LAW OFFICE OF RICHARD D. SHIVELY

13 
14 for Richard D. Shively
15 Attorneys for Petitioner
16 MATSON NAVIGATION COMPANY, INC.
with express written authority

17 Dated: September 15, 2011

CHRISTENSEN LAW GROUP

18 
19 Kevin M. (Casey) Christensen
20 Attorneys for Respondent
21 ST. PAUL FIRE & MARINE INSURANCE
22 COMPANY

23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

October 6

Dated: ~~September~~ _____, 2011



Hon. Laurel Beeler
United States Magistrate Judge
Northern District of California

Plaintiff's petition (ECF No. 1) shall be heard by the court on Thursday, January 19, 2012 at 11:00 a.m. Defendant shall file any opposition brief no later than December 8, 2011. Plaintiff shall file any reply brief no later than December 15, 2011.